

REMARKS

The above Amendment and these Remarks are in response to the Office Action mailed February 6, 2008. Claims 1-65 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-65. This response amends claims 1, 15, 18, 19, 23, 37, 40, 41, 44, 58, 61, 62 and 65, leaving for Examiner's consideration claims 1-65. Reconsideration of the rejections is respectfully requested.

I. Claim Rejection – 35 U.S.C. § 102

Claims 1-65 are rejected under 35 U.S.C. 102(e) as being anticipated by Hershberg, *et al.* USPN 7,155,705.

Independent claim 1 is amended to define “*an XML type which corresponds to the XML schema and implements a common Java type that provides XML-oriented data manipulation, wherein the XML type allows the combination of XML and Java type systems and is capable of accessing and manipulating the XML data from within Java.*”

Applicant respectfully submits that the user-defined doclet that is included in the JavaDoc process, as disclosed in Hershberg (Figures 1-2 and Column 9, Lines 21-32 and 56-57, and Table 3), does not implement a common Java type that provides XML-oriented data manipulation. As disclosed in Paragraph [0027] and [0032], a common Java type such as a XMLObject allows accessing and manipulating the XML data from within Java using the combination of XML and Java type systems.

Hence, the XML type in Java in the present invention is not a document type declaration in a DTD file for an XML processor or a user-defined doclet as disclosed in Hershberg. Therefore, Hershberg can not anticipate or render the present invention obvious, and independent claim 1 should be in allowable condition.

Similarly, independent claims 15, 18, 19, 23, 37, 40, 41, 44, 58, 61, 62 and 65 should all be in allowable condition as currently amended.

Therefore, dependent claims 16-17, 20-22, 24-36, 38-39, 42-43, 45-57, 59-60, and 63-64 should all be in allowable condition as well, since each one of these claims depends on one of the allowable independent claims as listed above.

Claims 1-65 cannot be anticipated by Slaughter under 35 U.S.C. 102 (e) for at least this reason, and Applicant respectfully requests that the rejection with respect to these claims be withdrawn.

II. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting the issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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